

Instrument Control Number

Commonwealth of Virginia Land Record Instruments Cover Sheet - Form A

[ILS VLR Cover Sheet Agent 1.0.93]

000056 JUN 10 8

INSTRUMENT #200802238
RECORDED IN THE CLERK'S OFFICE OF
WISE COUNTY ON
JUNE 10, 2008 AT 03:17PM

J. JACK KENNEDY, JR., CLERK
RECORDED BY: ADH

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Date of Instrument: [4/2/2008]

Instrument Type: [ORDER]

Number of Parcels [1]

Number of Pages [9]

City ☐ County ☒ [Wise County]

(Box for Deed Stamp Only)

First and Second Grantors

Last Name	First Name	Middle Name or Initial	Suffix
[Virginia Gas and Oil Bo]	[]	[]	[]
[]	[]	[]	[]

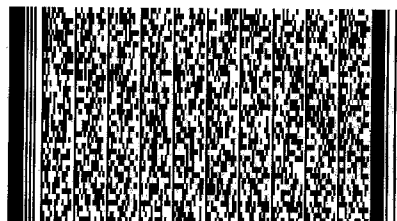
First and Second Grantees

Last Name	First Name	Middle Name or Initial	Suffix
[ACIN]	[]	[]	[]
[Wright]	[Jackie]	[]	[]

Grantee Address (Name) [Equitable Production Company]
(Address 1) [P. O. Box 23536]
(Address 2) []
(City, State, Zip) [Pittsburgh] [PA] [15222]
Consideration [0.00] Existing Debt [0.00] Assumption Balance [0.00]

Prior Instr. Recorded at: City ☐ County ☒ [Wise County] Percent. in this Juris. [100]
Book [] Page [] Instr. No [200703556]
Parcel Identification No (PIN) []
Tax Map Num. (if different than PIN) [019136]
Short Property Description [Supplemental Order 1917]
Current Property Address (Address 1) []
(Address 2) []
(City, State, Zip) [] [] []

Instrument Prepared By [DMME]
Recording Paid for By [DMME]
Return Recording To (Name) [Diane Davis]
(Address 1) [DMME]
(Address 2) [P. O. Box 1416]
(City, State, Zip) [Abingdon] [VA] [24212]
Customer Case ID [0704171917] [] []



Instrument Control Number

000057 JUN 10 8

**Commonwealth of Virginia
Land Record Instruments
Continuation Cover Sheet
Form B**

[ILS VLR Cover Sheet Agent 1.0.93]

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Date of Instrument: [4/2/2008]

Instrument Type: [ORDER]

Number of Parcels [1]

Number of Pages [9]

City ☐ County ☒ [Wise County] (Box for Deed Stamp Only)

Grantors/Grantees/Parcel Continuation Form B

				Last Name	First Name	Middle Name or Initial	Suffix
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	[Wright] [Carol][][
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	[Wright] [Fred][][
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	[Wright] [Judy][][
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	[Wright] [Jerry][][
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	[Wright] [Mary][][
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	[Wright] [Gene][][
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	[Wright] [Linda][][
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	[McCoy] [Mildred] [Gaye][
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	[McCoy] [Burt][][
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	[Weaver] [Johnny] [Wayne][
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	[Weaver] [Jody][][
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	[Naudzun] [Andrew][][
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	[][][][
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<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	[][][][

Prior Instr. Recorded at: City ☐ County ☐ [] Percent. in this Juris. []

Book [] Page [] Instr. No []

Parcel Identification No (PIN) []

Tax Map Num. (if different than PIN) []

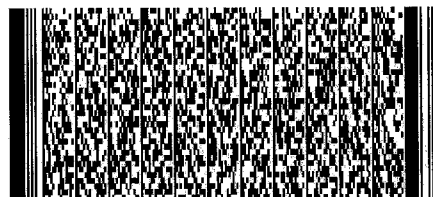
Short Property Description []

[]

Current Property Address (Address 1) []

(Address 2) []

(City, State, Zip) [] [] []



INSTRUMENT PREPARED BY
VIRGINIA GAS AND OIL BOARD

ORDER RECORDED UNDER CODE
OF VIRGINIA SECTION 45.1-361.26

VIRGINIA:

BEFORE THE VIRGINIA GAS AND OIL BOARD

SUPPLEMENTAL ORDER REGARDING DOCKET NO. VGOB 07/04/17-1917

ELECTIONS, UNIT: VC-537155

(hereinafter "Subject Drilling Unit").

REPORT OF BOARD

FINDINGS AND ORDER

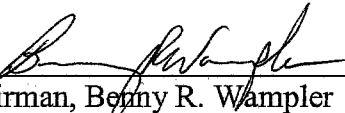
1. This Supplemental Order is entered by the Board sua sponte in the form authorized by the Board at its hearing held at 9:00 a.m. on October 20, 1992, Board of Supervisors Room, Courthouse, Grundy, Virginia, and pursuant to authority granted to the Board's Chairman at the hearing of the Virginia Gas and Oil Board on June 16, 1992, at 9:00 a.m. at the Rhododendron Restaurant at the Breaks Interstate Park, Breaks, Virginia; and this Supplemental Order is being recorded for the purpose of (1) complying with the requirement of the Virginia Gas and Oil Board Regulations, 4 VAC 25-160.70C by supplementing the Order previously issued by the Board for subject Docket on August 21, 2007 and recorded in Book with Instrument #200703556 in the Office of the Clerk of Circuit Court, Wise County, Virginia on August 22, 2007, (herein "Board Order") to complete the record regarding elections. The Board Order pooled all interest in Subject Drilling Unit including those of the Respondents more particularly set forth and identified by the Designated Operator in the affidavits attached hereto and made a part hereof. The Board finds it has jurisdiction over the subject matter pursuant to the provisions of the Virginia Gas and Oil Act, § 45.1-361.1 et seq., Virginia Code, 1950 as amended.
2. Findings: The Board finds that:
 - (a) The Board Order directed Equitable Production Company, (herein the Designated Operator"), to mail copies of the Board Order to all respondents whose interest, if any, were pooled by said Board Order;
 - (b) The designated operator filed its affidavit of mailing dated September 6, 2007, disclosing that it had mailed a correct copy of the Board's Order to all Respondents whose interest, if any, were pooled by said Board Order;
 - (c) The Board Order required each Respondent whose interest, if any, were pooled by the terms of said Board Order to make his or her election within thirty (30) days after the date of mailing or recording, as applicable, of said Order; the

Designated Operator has filed its affidavit dated February 4, 2008, in accordance with § 7.C of the Virginia Gas and Oil Board Regulations and 4 VAC 25-160.70C (herein "Affidavit of Election"), wherein it has, for each Respondent whose interest, if any, were pooled by said Board Order, stated: (i) whether each Respondent has made or failed to make a timely election; (ii) the nature of the election made, if any; (iii) whether, by reason of a failure to elect or to timely elect one or more Respondents are deemed, under the terms of the Board's Order, to have leased all their rights, title, interest, estates and claims in Subject Drilling Unit to the Designated Operator;

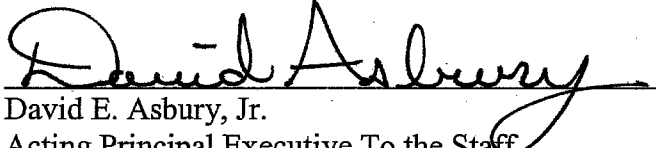
- (d) The Board Order further required the Designated Operator, after expiration of the election period, to file with the Board a statement of the interests subject to escrow under the terms and provisions of the Board Order, in light of the elections made or deemed to have been made (herein "Statement of Interests"); that the Designated Operator furnished said Statement of Interests as part of its Affidavit of Election. A copy of which is attached hereto as Exhibit B;
 - (e) Current Board standards requiring the escrow of funds and the Board's agreement with its Escrow Agent, Wachovia Bank, N. A., VA7515, P.O. Box 14061, Roanoke, VA 24038, (540) 563-7764, Attn: Judy Barger, or any successor named by the Board, require the entry of a Supplemental Order establishing of record the elections made or deemed to have been made and specifying the sums or percentage thereof subject to escrow. Current Board escrow standards were made applicable to Subject Drilling Unit by a Board Order dated December 23, 1992.
3. Order: By this Order, the Board orders the Designated Operator to tender, consistent with and in accordance with the findings set forth at paragraph 2 above and the annexed Affidavits, any funds subject to escrow and instructs the Escrow Agent, Wachovia Bank N. A., VA7515, P.O. Box 14061, Roanoke, VA 24038, (540) 563-7764, Attn: Judy Barger, or any successor named by the Board to establish interest-bearing escrow account(s), IRS Tax Identification Number 54-1629506, in accordance with the information set forth in said affidavits to receive such funds and account to the Board therefore.
 4. Mailing of Order and Filing of Affidavit: The Designated Operator under the captioned Order or its Attorney shall file an affidavit with the Secretary of the Board within ten (10) days after the date of receipt of this Order stating that a true and correct copy of this Order was mailed to each person whose interest or claim is subject to escrow and whose address is known.
 5. Conclusion: Therefore, the findings and all terms and provisions set forth above be and hereby are granted and IT IS SO ORDERED.
 6. Effective Date: This Order shall be effective on the date of its execution.

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DONE AND EXECUTED this 30th day of May,
2008, by a majority of the Virginia Gas and Oil Board.

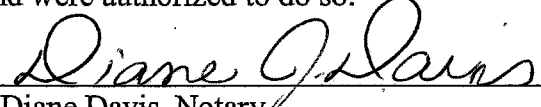

Chairman, Benny R. Wampler

DONE AND PERFORMED this 30th day of May,
2008, by Order of this Board.


David E. Asbury, Jr.
Acting Principal Executive To the Staff
Virginia Gas and Oil Board

STATE OF VIRGINIA)
COUNTY OF WASHINGTON)

Acknowledged on this 30th day of May,
2008, personally before me a notary public in and for the Commonwealth of Virginia,
appeared Benny Wampler, being duly sworn did depose and say that he is Chairman of
the Virginia Gas and Oil Board, and David E. Asbury, Jr., being duly sworn did depose
and say that he is Acting Principal Executive to the Staff of the Virginia Gas and Oil
Board, that they executed the same and were authorized to do so.


Diane Davis, Notary
0174394

My commission expires September 30, 2009

VIRGINIA:***BEFORE THE VIRGINIA GAS AND OIL BOARD***

IN RE: Application of Equitable Production Company, for Forced Pooling of Interests in Unit Number VC-537155 VGOB Docket No. VGOB-07/04/17-1917 in the Lipps Magisterial District of Wise County, Virginia.

AFFIDAVIT OF WILHOIT & KAISER, Attorneys-at-Law, Agents for the Designated Operator REGARDING ELECTIONS, ESCROW ACCOUNTS AND SUPPLEMENTAL ORDER

James E. Kaiser (herein Affiant), being first duly sworn on oath, deposes and says:

1. That the Affiant is an attorney in the law firm of WILHOIT & KAISER, the Agent for the Designated Operator, with offices located at 220 Broad Street, Kingsport, Tennessee 37660, and is authorized to give this Affidavit in its behalf;
2. That the Order entered on August 21, 2007, by the Virginia Gas and Oil Board regarding the captioned coalbed methane Unit required the Applicant to mail a true and correct copy of said Order to each person pooled by said Order;
3. That within seven (7) days of the receipt of an executed copy of the Order referred to at Paragraph 2. above, the Affiant was directed to cause a true and correct copy of said Order to be mailed via the United States Postal Service to each Respondent named in the captioned Application, whose address was known, and to all persons, if any, who are added as Respondents at the hearing held in the captioned matter;
4. That the Order of the Virginia Gas and Oil Board in the captioned matter required all persons pooled thereby to tender their written elections to the Unit Operator within thirty (30) days of the date said Order was recorded in the county above named; that said Order was recorded on August 22, 2007.
5. That the Designated Operator, by and through their agent, Wilhoit & Kaiser, Attorneys-at-Law, have established procedures to review all mail received and all written documents received by means other than by mail to ascertain whether parties whose interest have been pooled have made a written election, in a timely fashion, as required by the captioned Order; that said procedures were followed to identify the elections, if any, made with regard to Subject Unit; that the following persons delivered, by mail or otherwise, written elections to the Unit Operator, within the thirty day election periods:

NONE

6. That the interest and/or claims of the following persons (who made timely elections, or who are deemed under the terms of the Board's Order to have leased, or who, subsequent to the pooling hearing held in the captioned matter, have leased or otherwise entered into an agreement with the Designated Operator) are subject to escrow as either unknown claimants or conflicting claimants under the Board's Order pooling the captioned Unit, Board Regulations and the Code of Virginia; that opposite the name of each person named as a Respondent listed below is set forth:

<u>TRACT</u>	<u>LESSOR</u>	<u>LEASE STATUS</u>	<u>NET REVENUE INTEREST</u>
1	Jackie Wright & Carol Wright, h/w Rt. 3 Box 96A Castlewood, VA 24224	Unleased	0.000500729
	Fred Wright & Judy Wright, h/w 74 Spring Valley Road Bristol, VA 24201	Leased 904886	0.000500729
	Jerry Wright & Mary Wright, h/w PO Box 721 St. Paul, VA 24283	Leased 904886	0.000500729
	Gene Wright & Linda Wright, h/w PO Box 72 St Paul, VA 24283	Leased 904886	0.000500729
	Mildred Gaye McCoy & Burt McCoy, w/h PO Box 385 Lebanon, VA 24266	Leased 904886	0.000500729
	Johnny Wayne Weaver & Jody Weaver, h/w 16315 Georgia Hwy 315 Ellerslie, GA 31807	Unleased	0.00016691
	Andrew Naudzunas, I 11 Collins Street, B7 Seabrook, NH 03874-4654	Unleased	0.00016691
	Andrew Naudzunas, II 11 Collins Street, B7 Seabrook, NH 03874-4654	Unleased	0.00016691

OR

<u>TRACT</u>	<u>LESSOR</u>	<u>LEASE STATUS</u>	<u>NET REVENUE INTEREST</u>
1	ACIN, LLC Attn: John Mooney PO Box 2827 Huntington, WV 25727	Leased 904576 WI-154	0.003004375

7. That after the pooling hearing held in the captioned matter, the following persons have leased or entered into a voluntary agreement with the Designated Operator with regard to their interest and/or claims.

NONE

8. That the following persons have not made a timely election and have failed to enter into an agreement with the Designated Operator and their respective interests shall be deemed to have leased pursuant to and in accordance with paragraph 10 of the Order.

<u>Tract</u>	<u>Lessor</u>	<u>Cash Consideration</u>
1	Jackie Wright & Carol Wright, h/w Rt. 3 Box 96A Castlewood, VA 24224	0.2359 x \$5.00 = \$1.18
	Johnny Wayne Weaver & Jody Weaver, h/w 16315 Georgia Hwy 315 Ellerslie, GA 31807	0.0786 x \$5.00 = \$0.39
	Andrew Naudzunas, I 11 Collins Street, B7 Seabrook, NH 03874-4654	0.0786 x \$5.00 = \$0.39
	Andrew Naudzunas, II 11 Collins Street, B7 Seabrook, NH 03874-4654	0.0786 x \$5.00 = \$0.39

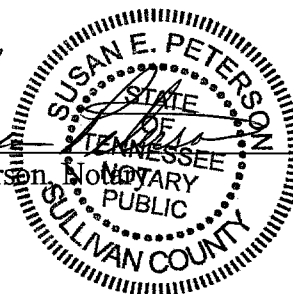
That pursuant to the provision of 4VAC 25-160.70C annexed hereto and incorporated herein is a proposed supplemental order to be entered to complete the record regarding elections; that said annexed supplemental order sets forth that the services of the Escrow Agent are required in this matter pursuant to the terms of §§ 45.1-361.21.D.

Dated at Kingsport, Tennessee, this 4th day of February 2008.

[Signature]
Affiant

Taken, subscribed and sworn to before me by James E. Kaiser, the Agent of Equitable Production Company, a corporation, on behalf of the corporation, this 4th day of February 2008.

[Signature]
Susan Peterson, Notary Public



My commission expires: November 12, 2008.

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EXHIBIT "B"
VC-537155
VGOB 07/04/17-1917

<u>TRACT</u>	<u>LESSOR</u>	<u>LEASE STATUS</u>	<u>INTEREST WITHIN UNIT</u>	<u>GROSS ACREAGE IN UNIT</u>
<u>Gas Estate Only</u>				
1 TAX ID 019136	ACIN, LLC Attn: John Mooney PO Box 2827 Huntington, WV 25727	Leased 904576 WI-154	45.666500%	26.8945
	Jackie Wright & Carol Wright, h/w Rt. 3 Box 96A Castlewood, VA 24224	Unleased	0.400583%	0.2359
	Fred Wright & Judy Wright, h/w 74 Spring Valley Road Bristol, VA 24201	Leased 904886.04	0.400583%	0.2359
	Jerry Wright & Mary Wright, h/w PO Box 721 St. Paul, VA 24283	Leased 904886.02	0.400583%	0.2359
	Gene Wright & Linda Wright, h/w PO Box 72 St Paul, VA 24283	Leased 904886.03	0.400583%	0.2359
	Mildred Gaye McCoy & Burt McCoy, w/h PO Box 385 Lebanon, VA 24266	Leased 904886.01	0.400583%	0.2359
	Johnny Wayne Weaver & Jody Weaver, h/w 16315 Georgia Hwy 315 Ellerslie, GA 31807	Unleased	0.133528%	0.0786
	Andrew Naudzunas, I 11 Collins Street, B7 Seabrook, NH 03874-4654	Unleased	0.133528%	0.0786
	Andrew Naudzunas, II 11 Collins Street, B7 Seabrook, NH 03874-4654	Unleased	0.133528%	0.0786
	Equitable Production			
<u>Tract 1 Totals</u>			<u>48.070000%</u>	<u>28.3100</u>

2 ACIN, LLC Leased 7.110000% 4.1900
TAX ID 019163 Attn: John Mooney 904576
PO Box 2827 WI-181
Huntington, WV 25727

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Equitable Production
Tract 2 Totals 7.110000% 4.1900

3 ACIN, LLC Leased 30.790000% 18.1300
TAX ID 019077 Attn: John Mooney 904576
PO Box 2827 WI-111
Huntington, WV 25727

Equitable Production
Tract 3 Totals 30.790000% 18.1300

4 ACIN, LLC Leased 14.030000% 8.2600
TAX ID 019081 Attn: John Mooney 904576
PO Box 2827 WI-111
Huntington, WV 25727

Equitable Production
Tract 4 Totals 14.030000% 8.2600

TOTAL GAS ESTATE 100.000000% 58.8900

Coal Estate Only

1 ACIN, LLC Leased 48.070000% 28.3100
TAX ID 019136 Attn: John Mooney 904576
PO Box 2827 WI-154
Huntington, WV 25727

Equitable Production
Tract 1 Totals 48.070000% 28.3100

2 ACIN, LLC Leased 7.110000% 4.1900
TAX ID 019163 Attn: John Mooney 904576
PO Box 2827 WI-181
Huntington, WV 25727

Equitable Production
Tract 2 Totals 7.110000% 4.1900

3 ACIN, LLC Leased 30.790000% 18.1300
TAX ID 019077 Attn: John Mooney 904576
PO Box 2827 WI-111
Huntington, WV 25727

Equitable Production
Tract 3 Totals 30.790000% 18.1300

4 ACIN, LLC Leased 14.030000% 8.2600
TAX ID 019081 Attn: John Mooney 904576
PO Box 2827 WI-111
Huntington, WV 25727

Equitable Production
Tract 4 Totals 14.030000% 8.2600

TOTAL COAL ESTATE 100.000000% 58.8900

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RECORDED BY: ADH

[Handwritten Signature]